

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PROGRESSIVE SPECIALTY)	
INSURANCE COMPANY,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO: 2:06-CV-336-MHT
)	
DARRYL D. FINCH, et al.,)	
)	
Defendants.)	

NOTICE CONCERNING SETTLEMENT CONFERENCE AND MEDIATION

COMES NOW the plaintiff, Progressive Specialty Insurance Company ("Progressive"), pursuant to paragraph six of the scheduling order entered on November 9, 2006, and reports to the court the results of the face-to-face settlement conference as follows:

1. Progressive's and the defendant Washington's attorneys engaged in a settlement conference on April 13, 2007.
2. It does not appear that this case can be settled because of the coverage issues. Mediation would not be helpful at this time.
3. The clerk entered a default against Darryl D. Finch Enterprises, Inc. on March 28, 2007. The court will consider Progressive's motion for summary judgment which is deemed submitted without oral argument on April 30, 2007. The court entered an order on February 26, 2007 which granted Progressive's motion to deem certain facts admitted which will possibly resolve the outstanding coverage issues.

R. Larry Bradford

R. Larry Bradford, Attorney for Plaintiff,
Progressive Specialty Insurance Company
Attorney Bar Code: BRA039

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that I have this the 19 day of April, 2007 served a copy of the foregoing to all attorneys of record by placing a copy of same in the United States Mail, postage prepaid and properly addressed as follows:

Mr. Darryl D. Finch
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